

# **EXHIBIT 2**



U.S. Department of Justice

Environment and Natural Resources Division

JMG:MMK

90-11-2-1045Z

*Maureen M. Katz*

*Environmental Enforcement Section*

*P.O. Box 7611*

*Washington, DC 20044-7611*

**Key Document: 1**

**Amendola Report**

*Telephone (202) 514-2468*

*Facsimile (202) 514-0097*

*maureen.katz@usdoj.gov*

May 12, 2000

J. Andrew Schlickman, Esq.  
Sidley & Austin  
Bank One Plaza  
10 South Dearborn Street  
Chicago, IL 60603

Re: Fox River/Green Bay: NCR/Appleton Paper

Dear Andy:

I am enclosing for your and your client's review, a report on the United States' "Preliminary Estimates of PCB Discharges to the Fox River." The government has prepared the report in consultation with the State of Wisconsin, the Oneida Tribe of Indians of Wisconsin and the Menominee Indian Tribe of Wisconsin in connection with the Fox River/Green Bay matter. This report is also being provided to each of the companies listed on enclosed Table 3 although company-specific information is being provided only to the company that submitted it.

You will note that at page 4 of the enclosed, we are requesting your client to provide supplemental responses to four information requests. A formal request for this supplemental information, pursuant to the authority of Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §9604, will be forthcoming shortly from the U.S. Fish and Wildlife Service. Additionally, we are requesting all recipients to review and comment on the site-specific data used for their facilities as well as the key factors and assumptions we used to develop the preliminary estimates. We would appreciate receiving any such comments within 30 days. If this poses a difficulty for your client, please let me know.

I would like to underscore that the enclosed estimates are preliminary and may change based on comments we receive or other additional information.

If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Maureen", with a long horizontal flourish extending to the right.

Maureen M. Katz  
Senior Attorney

Enclosure

cc: Roger M. Grimes  
Joan Goldfarb  
Tony Giedt  
Peggy Schneider  
Rollie Wilson  
Shari Eggleston

## **Preliminary Estimates of PCB Discharges to the Fox River**

**1954 to 1985**

### **1. *Introduction***

This brief report presents a summary of preliminary estimates of PCB discharges to the Fox River for the period 1954 to 1985 associated with manufacture of NCR carbonless copy paper containing PCB emulsions and the distribution and recycle of NCR paper broke, NCR paper converter trim and secondary fiber containing PCBs. The methodology used to develop the preliminary estimates is briefly described. Principal sources of information and data used to develop the estimates were: (1) responses by paper companies and selected Fox River municipal authorities to Section 104(e) requests from the Department of Interior; (2) the Wisconsin Department of Natural Resources; and, (3) published technical literature.

The purposes of this report are to set out for review and comment by each of the affected paper companies the site-specific data used for their mills and the key factors and assumption used to develop the preliminary estimates. The key factors and assumptions are categorized as follows:

- those associated with releases of PCBs from manufacture of NCR paper;
- those associated with distribution of NCR paper broke, NCR paper converter trim, and secondary fiber containing PCBs to Fox Valley paper mills;
- those associated with partitioning of PCBs to product and process waters during secondary fiber processing operations; and,
- those associated with partitioning of PCBs to wastewater treatment sludges and final effluents in industrial and municipal wastewater treatment operations.

Because several paper companies have claimed some of the information and data used to develop the preliminary estimates as confidential business information, mill-specific information are provided only to the paper companies that have submitted that data.

For purposes of presenting preliminary estimates, four cases were developed using alternative assumptions for each of the key factors noted above. For Case 1, the assumptions for major factors were selected to produce relatively low aggregate PCB discharges to the Fox River from all sources; for Case 3, relatively high aggregate PCB discharges. Case 2 represents the mid-range or average of the assumptions used for Cases 1 and 3. Because the results for Cases 1 and 3 show relatively little difference in PCB allocations in percentage terms, a fourth case was developed to show collectively the sensitivity of the PCB allocation methodology to key factors associated with the NCR paper coating process and removal of PCBs from the process wastewater stream at Appleton Papers.

**Table 4**

**Preliminary Estimates of PCB Releases  
to the Fox River**

**Per Cent of Total Estimated Releases by Facility**

**NCR Paper Coating Mills and Secondary Fiber Deink Mills**

	Case 1	Case 2	Case 3	Case 4
<i>NCR Paper Coating Mills</i>				
NCR/Appleton	35.8 %	37.7 %	36.9 %	51.6 %
Appleton - Locks	3.55 %	2.67 %	2.04 %	2.56 %
<i>Secondary Fiber Deink Mills</i>				
P.H. Glatfelter	16.0 %	16.5 %	17.6 %	13.2 %
Wisconsin Tissue	3.71 %	3.60 %	3.62 %	2.72 %
Riverside	1.23 %	1.03 %	0.88 %	0.66 %
Fort James GB West	39.6 %	38.4 %	38.8 %	29.1 %

**Secondary Fiber Non-Deink and Other Mills**

Case	Case 1	Case 2	Case 3	Case 4
Kimberly Clark	0.004 %	0.003 %	0.003 %	0.002 %
U.S. Paper-Menasha	0.030 %	0.027 %	0.023 %	0.017 %
American Tissue	0.022 %	0.020 %	0.017 %	0.013 %
U.S. Paper - DePere	0.007 %	0.006 %	0.005 %	0.004 %
GB Packaging	0.005 %	0.005 %	0.004 %	0.003 %
Proctor & Gamble	0.013 %	0.012 %	0.010 %	0.007 %
Fort James GB East	0.012 %	0.011 %	0.009 %	0.007 %
Consolidated Papers	0.004 %	0.003 %	0.003 %	0.002 %